

PRIS,STAYED

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Houston)  
CIVIL DOCKET FOR CASE #: 4:12-cv-01311  
Internal Use Only**

Bailey v. Livingston et al  
Assigned to: Judge Lynn N. Hughes  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 04/25/2012  
Date Terminated: 03/25/2014  
Jury Demand: Defendant  
Nature of Suit: 550 Prisoner: Civil  
Rights  
Jurisdiction: Federal Question

**Plaintiff**

**Wayne Bailey**  
*and all similarly situated disabled  
inmates*

represented by **Wayne Bailey**  
1129492  
Jester 3 Unit  
3 Jester Road  
Richmond, TX 77406  
PRO SE

V.

**Defendant**

**Brad Livingston**  
*in his official capacity*

represented by **Allan Kennedy Cook**  
Office of the Attorney General  
300 W 15th Street  
7th Floor  
Austin, TX 78701  
512-475-1917  
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Email:  
Allan.Cook@texasattorneygeneral.gov  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Calysta L Lantiegne**  
Office of the Attorney General  
Law Enforcement Defense Division  
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*LEAD ATTORNEY*  
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**Matthew J Greer**  
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**Shane D Neldner**  
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*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Larry Hodges**  
*in his official capacity*

represented by **Allan Kennedy Cook**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Calysta L Lantiegne**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Matthew J Greer**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Shane D Neldner**  
(See above for address)

*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Thomas Day**  
*in his official capacity*

represented by **Allan Kennedy Cook**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Calysta L Lantiegne**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Matthew J Greer**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Shane D Neldner**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Moises Villalobos, Jr**  
*in his official capacity*

represented by **Allan Kennedy Cook**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Calysta L Lantiegne**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Matthew J Greer**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Shane D Neldner**  
(See above for address)

*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Jerry Bailey**  
*in his official capacity*

represented by **Allan Kennedy Cook**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Calysta L Lantiegne**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Matthew J Greer**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Shane D Neldner**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Kimberly Cotton Smith**  
*in her official capacity*

represented by **Allan Kennedy Cook**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Calysta L Lantiegne**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Matthew J Greer**  
(See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Shane D Neldner**  
(See above for address)

*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*


**Defendant**


**Texas Department Of Criminal  
Justice**

represented by **Calysta L Lantiegne**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Matthew J Greer**  
 (See above for address)  
*TERMINATED: 02/20/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Allan Kennedy Cook**  
 (See above for address)  
*TERMINATED: 02/20/2014*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/25/2012	<a href="#"><u>1</u></a>	Prisoner Civil Rights COMPLAINT against All Defendants (Filing fee \$ 350) filed by Wayne Bailey. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Cover Letter/Envelope)(mlothmann) (Entered: 04/25/2012)
04/25/2012	<a href="#"><u>2</u></a>	MOTION/APPLICATION to Proceed In Forma Pauperis by Wayne Bailey, filed. Motion Docket Date 5/16/2012. (Attachments: # <a href="#"><u>1</u></a> Application, # <a href="#"><u>2</u></a> Cover Letter/Envelope)(mlothmann) (Entered: 04/25/2012)
04/25/2012	 <a href="#"><u>3</u></a>	Prisoner Trust Fund Account Statement by Wayne Bailey, filed. (Attachments: # <a href="#"><u>1</u></a> Cover Letter/Envelope) (mlothmann) (Entered: 04/25/2012)
04/25/2012	<a href="#"><u>4</u></a>	MOTION for Records Retention by Wayne Bailey, filed. Motion Docket Date 5/16/2012. (Attachments: # <a href="#"><u>1</u></a> Cover Letter/Envelope)(mlothmann) (Entered: 04/25/2012)
04/25/2012	<a href="#"><u>5</u></a>	CONSENT to Proceed Before a Magistrate Judge by Wayne Bailey, filed. (Attachments: # <a href="#"><u>1</u></a> Cover Letter/Envelope)(mlothmann) (Entered: 04/25/2012)
04/25/2012	<a href="#"><u>6</u></a>	MOTION for Scheduling Conference by Wayne Bailey, filed. Motion Docket Date 5/16/2012. (Attachments: # <a href="#"><u>1</u></a> Cover Letter/Envelope) (mlothmann) (Entered: 04/25/2012)
04/25/2012	<a href="#"><u>7</u></a>	NOTICE to Pro Se Litigant. Party notified, filed. (mlothmann) (Entered: 04/25/2012)

05/04/2012	<a href="#"><u>8</u></a>	CONSENT to Proceed Before a Magistrate Judge by Wayne Bailey, filed.(rrusso) (Entered: 05/04/2012)
05/09/2012	<a href="#"><u>9</u></a>	Letter from Wayne Bailey re: Request for copy of complaint, filed. (kgilyard, ) (Entered: 05/10/2012)
05/24/2012	<a href="#"><u>10</u></a>	MOTION for Leave to File Amended Complaint by Wayne Bailey, filed. Motion Docket Date 6/14/2012. (Attachments: # <a href="#"><u>1</u></a> Amended Complaint, # <a href="#"><u>2</u></a> Envelope)(mlothmann) (Entered: 05/25/2012)
06/08/2012	<a href="#"><u>11</u></a>	ORDER granting <a href="#"><u>2</u></a> Motion for Leave to Proceed in forma pauperis; denying <a href="#"><u>6</u></a> Motion for Conference; granting <a href="#"><u>10</u></a> Motion for Leave to File. (Signed by Judge Lynn N. Hughes) Parties notified.(bthomas, ) (Entered: 06/11/2012)
06/11/2012	 <a href="#"><u>12</u></a>	Document(s) Sent by FedEx to Jacqueline Haney - receipt attached, access restricted to court users for privacy reasons - re: <a href="#"><u>11</u></a> Order, <a href="#"><u>10</u></a> MOTION for Leave to File Amended Complaint, <a href="#"><u>6</u></a> MOTION for Scheduling Conference, <a href="#"><u>1</u></a> Complaint, <a href="#"><u>4</u></a> MOTION for Records Retention, filed. (bthomas, ) (Entered: 06/11/2012)
06/18/2012		***Delivery Confirmation; delivery date(s) 6/12/2012 10:48AM re: <a href="#"><u>12</u></a> Document(s) Sent, Document(s) Sent, filed. (jdav, ) (Entered: 06/18/2012)
06/19/2012	<a href="#"><u>13</u></a>	Plaintiff's MOTION for Copies at State Expense by Wayne Bailey, filed. Motion Docket Date 7/10/2012. (Attachments: # <a href="#"><u>1</u></a> Letter, # <a href="#"><u>2</u></a> Envelope) (gkelner, ) (Entered: 06/20/2012)
06/20/2012	<a href="#"><u>14</u></a>	MOTION to Correct <a href="#"><u>1</u></a> Complaint, <a href="#"><u>4</u></a> MOTION for Records Retention by Wayne Bailey, filed. Motion Docket Date 7/11/2012. (Attachments: # <a href="#"><u>1</u></a> Letter, # <a href="#"><u>2</u></a> Envelope)(gkelner, ) (Entered: 06/20/2012)
06/26/2012	<a href="#"><u>15</u></a>	ORDER denying <a href="#"><u>4</u></a> ; denying <a href="#"><u>13</u></a> ; denying <a href="#"><u>14</u></a> . (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan, ) (Entered: 06/26/2012)
08/16/2012	<a href="#"><u>16</u></a>	Letter from Plaintiff re: Copy of Amended Complaint, filed. (mmapps, ) (Entered: 08/20/2012)
08/23/2012	<a href="#"><u>17</u></a>	MOTION for Leave to File Answer Out Of Time by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Moises Villalobos, Jr, filed. Motion Docket Date 9/13/2012. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(Neldner, Shane) (Entered: 08/23/2012)
08/23/2012	<a href="#"><u>18</u></a>	ANSWER to Complaint with Jury Demand by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Moises Villalobos, Jr, filed.(Neldner, Shane) (Entered: 08/23/2012)
08/29/2012	<a href="#"><u>19</u></a>	ORDER. The defendant's motion to file an out of time answer <a href="#"><u>17</u></a> is granted. (Signed by Judge Lynn N. Hughes) Parties notified.(chorace) (Entered: 08/29/2012)

08/31/2012	<a href="#"><u>20</u></a>	MOTION for Leave to File Response to Defendants' Original Answer by Wayne Bailey, filed. Motion Docket Date 9/21/2012. (mlothmann) (Additional attachment(s) added on 9/4/2012: # <a href="#"><u>1</u></a> Response to Defendants' Original Answer) (mlothmann, ). (Entered: 09/04/2012)
08/31/2012	<a href="#"><u>21</u></a>	MOTION for Rule 26(f) Conference by Wayne Bailey, filed. Motion Docket Date 9/21/2012. (mlothmann) (Entered: 09/04/2012)
08/31/2012	<a href="#"><u>22</u></a>	MOTION for Preliminary Injunction by Wayne Bailey, filed. Motion Docket Date 9/21/2012. (mlothmann) (Entered: 09/04/2012)
08/31/2012	<a href="#"><u>23</u></a>	AFFIDAVIT of Tom Iles White Jr., Michael Esterling, Louis Colantuono, Thomas Fisher, Bill Wynne, Donald A. Turner, Troy Nicholson, Avraham Raphael, Wayne Bailey, filed.(mlothmann) (Entered: 09/04/2012)
09/13/2012	<a href="#"><u>24</u></a>	RESPONSE in Opposition to <a href="#"><u>22</u></a> MOTION for Preliminary Injunction, filed by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Moises Villalobos, Jr. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(Neldner, Shane) (Entered: 09/13/2012)
09/24/2012	<a href="#"><u>25</u></a>	MOTION for Evidentiary Hearing on Preliminary Injunction Hearing re: <a href="#"><u>22</u></a> MOTION for Preliminary Injunction by Wayne Bailey, filed. Motion Docket Date 10/15/2012. (gkelner, ) (Entered: 09/24/2012)
10/17/2012	<a href="#"><u>26</u></a>	ORDER. The plaintiff's motion to file response to defendants' answer <a href="#"><u>20</u></a> is granted. The plaintiff's motion for a rule 26(f) conference <a href="#"><u>21</u></a> , motion for preliminary injunction <a href="#"><u>22</u></a> , and motion for evidentiary hearing <a href="#"><u>25</u></a> are denied.(Signed by Judge Lynn N. Hughes) Parties notified.(chorace) (Entered: 10/17/2012)
10/26/2012	<a href="#"><u>27</u></a>	MOTION for Scheduling Order by Wayne Bailey, filed. Motion Docket Date 11/16/2012. (amwilliams) (Entered: 10/26/2012)
10/30/2012	<a href="#"><u>28</u></a>	MOTION to Dismiss a Defense with Brief in Support <a href="#"><u>18</u></a> Answer to Complaint by Wayne Bailey, filed. Motion Docket Date 11/20/2012. (wbostic, ) (Entered: 10/30/2012)
10/30/2012	<a href="#"><u>29</u></a>	Letter from Wayne Bailey re: Request for Docket Sheet, filed. Docket Sheet Sent. (wbostic) (Entered: 10/30/2012)
11/07/2012	<a href="#"><u>30</u></a>	ORDER. The plaintiff's motion for scheduling order <a href="#"><u>27</u></a> is denied. The parties should communicate by mail. (Signed by Judge Lynn N. Hughes) Parties notified.(chorace) (Entered: 11/07/2012)
11/08/2012	<a href="#"><u>31</u></a>	MOTION for Leave to File Amend Complaint by Wayne Bailey, filed. Motion Docket Date 11/29/2012. (amwilliams) (Entered: 11/08/2012)
11/20/2012	<a href="#"><u>32</u></a>	MOTION for Extension of Time to File Dispositive Motions by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Moises Villalobos, Jr, filed. Motion Docket Date 12/11/2012. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(Neldner, Shane) (Entered: 11/20/2012)



11/26/2012	<a href="#"><u>33</u></a>	INITIAL DISCLOSURES by Wayne Bailey, filed.(jdav, ) (Entered: 11/26/2012)
11/28/2012	<a href="#"><u>34</u></a>	MOTION for Leave to Propound Interrogatories on Third Party Witnesses by Wayne Bailey, filed. Motion Docket Date 12/19/2012. (sguevara, ) (Entered: 11/28/2012)
11/30/2012	<a href="#"><u>35</u></a>	ORDER granting <a href="#"><u>31</u></a> Motion for Leave to File an amended complaint to add the Texas Department of Criminal Justice as a defendant.(Signed by Judge Lynn N. Hughes) Parties notified.(bthomas, ) (Entered: 11/30/2012)
12/06/2012	<a href="#"><u>36</u></a>	MOTION to Compel Initial Disclosures by Wayne Bailey, filed. Motion Docket Date 12/27/2012. (sguevara, ) (Entered: 12/06/2012)
12/06/2012	<a href="#"><u>37</u></a>	MOTION for Leave to File a Second Amended Complaint by Wayne Bailey, filed. Motion Docket Date 12/27/2012. (sguevara, ) (Entered: 12/06/2012)
12/20/2012	<a href="#"><u>38</u></a>	MOTION for a Hearing on Objection re: <a href="#"><u>36</u></a> MOTION to Compel Initial Disclosures by Wayne Bailey, filed. Motion Docket Date 1/10/2013. (cfelchak, ) (Entered: 12/21/2012)
12/31/2012	<a href="#"><u>39</u></a>	MOTION to Withdraw Pleadings and Agree for Extension of Time ( Motion Docket Date 1/22/2013.) by Wayne Bailey, filed. (sguevara, ) (Entered: 01/02/2013)
01/16/2013	<a href="#"><u>40</u></a>	MOTION for Photographic Discovery by Wayne Bailey, filed. Motion Docket Date 2/6/2013. (mlothmann, ) (Entered: 01/16/2013)
01/22/2013	<a href="#"><u>41</u></a>	NOTICE <i>Notice of Defendants' Initial Disclosures</i> by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Moises Villalobos, Jr, filed. (Neldner, Shane) (Entered: 01/22/2013)
01/25/2013	<a href="#"><u>42</u></a>	MOTION for Protective Order by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Moises Villalobos, Jr, filed. Motion Docket Date 2/15/2013. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(Neldner, Shane) (Entered: 01/25/2013)
02/01/2013	<a href="#"><u>43</u></a>	MOTION for Extension of Time To File Response to Defendant's Motion for Protective Order by Wayne Bailey, filed. Motion Docket Date 2/22/2013. (vcantu) (Entered: 02/01/2013)
02/07/2013	<a href="#"><u>44</u></a>	MOTION for on Objections Hearing by Wayne Bailey, filed. Motion Docket Date 2/28/2013. (Attachments: # <a href="#"><u>1</u></a> Envelope)(cfelchak) (Entered: 02/07/2013)
02/07/2013	<a href="#"><u>45</u></a>	RESPONSE to <a href="#"><u>42</u></a> MOTION for Protective Order filed by Wayne Bailey. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B)(cfelchak) (Entered: 02/07/2013)
02/08/2013	<a href="#"><u>46</u></a>	Letter from Wayne Bailey re: Verifying summons and copy of second amended complaint, filed. (amwilliams) (Entered: 02/08/2013)



03/06/2013	<a href="#"><u>47</u></a>	MOTION Challenging Sufficiency of Defendants' Answers to Admissions by Wayne Bailey, filed. Motion Docket Date 3/27/2013. (Attachments: # <a href="#"><u>1</u></a> Exhibit, # <a href="#"><u>2</u></a> Certificate of Service)(cfelchak) (Entered: 03/07/2013)
03/15/2013	<a href="#"><u>48</u></a>	MOTION for Sanctions with Brief in Support by Wayne Bailey, filed. Motion Docket Date 4/5/2013. (bdaniel, ) (Entered: 03/15/2013)
03/15/2013	<a href="#"><u>49</u></a>	MEMORANDUM of Law in Support of re: <a href="#"><u>48</u></a> MOTION for Sanctions by Wayne Bailey, filed.(bdaniel, ) (Entered: 03/15/2013)
04/04/2013	<a href="#"><u>50</u></a>	Plaintiffs' Supplemental RESPONSE to <a href="#"><u>42</u></a> Defendants' MOTION for Protective Order, filed by Wayne Bailey. (isoto) (Entered: 04/04/2013)
06/11/2013	<a href="#"><u>51</u></a>	Letter from Wayne Bailey re: request for docket sheet, filed. (dwilkerson, ) (Entered: 06/12/2013)
06/11/2013	<a href="#"><u>52</u></a>	Plaintiff's MOTION to Correct State Created Impediment by Wayne Bailey, filed. Motion Docket Date 7/2/2013. (sgonzalez) (Entered: 06/12/2013)
06/12/2013		Document(s) Sent - plaintiff's address verified and Docket Sheet sent by regular mail to Wayne Bailey, filed. (dwilkerson, ) (Entered: 06/12/2013)
07/11/2013	<a href="#"><u>53</u></a>	Letter from Wayne Bailey re: requesting copy of docket sheet and opinion in a different case (4:09cv3991)., filed. (ccarnew, ) (Entered: 07/12/2013)
07/12/2013		Document(s) Sent by regular mail to Wayne Bailey (copy of docket sheet), filed. (ccarnew, ) (Entered: 07/12/2013)
07/16/2013	<a href="#"><u>54</u></a>	Order on Remaining Motions <a href="#"><u>32</u></a> , <a href="#"><u>34</u></a> , <a href="#"><u>36</u></a> , <a href="#"><u>37</u></a> , <a href="#"><u>38</u></a> , <a href="#"><u>39</u></a> , <a href="#"><u>39</u></a> , <a href="#"><u>40</u></a> , <a href="#"><u>42</u></a> , <a href="#"><u>43</u></a> , <a href="#"><u>44</u></a> , <a href="#"><u>47</u></a> , <a href="#"><u>48</u></a> , <a href="#"><u>52</u></a> . Defendants may move for dismissal or summary judgment by 8/30/2013.(Signed by Judge Lynn N. Hughes) Parties notified.(glyons) (Entered: 07/16/2013)
07/26/2013	<a href="#"><u>55</u></a>	MOTION for Appointment of Expert by Wayne Bailey, filed. Motion Docket Date 8/16/2013. (Attachments: # <a href="#"><u>1</u></a> envelope)(sguevara, ) (Entered: 07/26/2013)
08/06/2013	<a href="#"><u>56</u></a>	NOTICE of Appearance by Allan K. Cook on behalf of Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Moises Villalobos, Jr, filed. (Cook, Allan) (Entered: 08/06/2013)
08/07/2013	<a href="#"><u>57</u></a>	ORDER on Motion to Appoint Expert <a href="#"><u>55</u></a> .(Signed by Judge Lynn N. Hughes) Parties notified.(glyons) (Entered: 08/07/2013)
08/22/2013	<a href="#"><u>58</u></a>	MOTION for Reconsideration to Appoint Expert by Wayne Bailey, filed. Motion Docket Date 9/12/2013. (vrios, ) (Entered: 08/22/2013)
08/22/2013	<a href="#"><u>59</u></a>	RESPONSE in Opposition to <a href="#"><u>58</u></a> MOTION for Reconsideration, filed by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad

		Livingston, Texas Department Of Criminal Justice, Moises Villalobos, Jr. (Attachments: # <a href="#">1</a> Proposed Order)(Cook, Allan) (Entered: 08/22/2013)
08/23/2013	<a href="#">60</a>	ORDER. Plaintiff's motion for reconsideration to appoint expert is denied <a href="#">58</a> . (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan, ) (Entered: 08/23/2013)
08/23/2013	<a href="#">61</a>	Plaintiff's Motion to Compel Defendants to Make Disclosures Required By Rule 26 by Wayne Bailey, filed. Motion Docket Date 9/13/2013. (dahumada, ) (Additional attachment(s) added on 8/27/2013: # <a href="#">1</a> Envelope) (hcarr, ). (Entered: 08/26/2013)
08/28/2013	<a href="#">62</a>	MOTION for Leave to Intervene as Plaintiff, filed. Motion Docket Date 9/18/2013. (olindor, ) (Entered: 08/28/2013)
08/29/2013	<a href="#">63</a>	MOTION to Dismiss by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Texas Department Of Criminal Justice, Moises Villalobos, Jr, filed. Motion Docket Date 9/19/2013. (Attachments: # <a href="#">1</a> Proposed Order)(Cook, Allan) (Entered: 08/29/2013)
08/30/2013	<a href="#">64</a>	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: <a href="#">57</a> Order on Motion to Appoint and <a href="#">60</a> Order on Motion for Reconsideration by Wayne Bailey (Filing fee \$ 455), filed. (rnieto) (Entered: 09/03/2013)
09/03/2013	<a href="#">65</a>	MOTION to Proceed In Forma Pauperis on Appeal by Wayne Bailey, filed. Motion Docket Date 9/24/2013. (Attachments: #(1) Application; #(2) Statement of Acct) (rnieto) (Entered: 09/03/2013)
09/03/2013	<a href="#">66</a>	RESPONSE in Opposition to <a href="#">62</a> MOTION Leave to Intervene as Plaintiff, filed by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Texas Department Of Criminal Justice, Moises Villalobos, Jr. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Proposed Order) (Cook, Allan) (Entered: 09/03/2013)
09/04/2013	<a href="#">67</a>	RESPONSE to <a href="#">61</a> MOTION to Compel Defendants to Make Disclosures Required By Rule 26 filed by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Texas Department Of Criminal Justice, Moises Villalobos, Jr. (Attachments: # <a href="#">1</a> Proposed Order)(Cook, Allan) (Entered: 09/04/2013)
09/04/2013	<a href="#">68</a>	ORDER granting <a href="#">65</a> Motion for Leave to Proceed in forma pauperis on appeal. This case is stayed and administratively closed pending a decision by the Court of Appeals for the Fifth Circuit. (Signed by Judge Lynn N. Hughes) Parties notified.(rosaldana, 4) (Entered: 09/04/2013)
09/05/2013	<a href="#">71</a>	Composition of the Record by Wayne Bailey, filed.(gsalinas, 5) (Entered: 09/10/2013)
09/06/2013	<a href="#">69</a>	NOTICE of Supplemental Disclosures by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Moises Villalobos,

		Jr, filed. (Cook, Allan) (Entered: 09/06/2013)
09/09/2013	<a href="#"><u>70</u></a>	Notice of the Filing of an Appeal. Fee status: IFP. The following Notice of Appeal and related motions are pending in the District Court: <a href="#"><u>64</u></a> Notice of Appeal, filed.(blacy, 4) (Entered: 09/09/2013)
09/09/2013		Notice of Assignment of USCA No. 13-20502 re: <a href="#"><u>64</u></a> Notice of Appeal, filed.(blacy, 4) (Entered: 09/09/2013)
09/09/2013		The EROA has now completed certification to the Fifth Circuit Court of Appeals re: <a href="#"><u>64</u></a> Notice of Appeal USCA No. 13-20502, filed.(blacy, 4) (Entered: 09/09/2013)
09/20/2013	<a href="#"><u>72</u></a>	Plaintiff's Opposition to <a href="#"><u>63</u></a> MOTION to Dismiss , With Brief In Support filed by Wayne Bailey. (Attachments: # <a href="#"><u>1</u></a> Appendix Summary, # <a href="#"><u>2</u></a> Appendix G, # <a href="#"><u>3</u></a> Appendix J, # <a href="#"><u>4</u></a> Appendix V through Y, # <a href="#"><u>5</u></a> Proof of Address)(mmarquez, 5) (Entered: 09/24/2013)
10/07/2013	<a href="#"><u>73</u></a>	SUPPLEMENTAL to <a href="#"><u>72</u></a> Response in Opposition to Motion with Brief in Support by Wayne Bailey, filed. (Attachments: # <a href="#"><u>1</u></a> Exhibit, # <a href="#"><u>2</u></a> Continuation of Exhibits, # <a href="#"><u>3</u></a> Continuation of Exhibits, # <a href="#"><u>4</u></a> Continuation of Exhibits, # <a href="#"><u>5</u></a> Continuation of Exhibits)(bcampos, 1) (Entered: 10/10/2013)
10/10/2013	<a href="#"><u>74</u></a>	REPLY to Response to <a href="#"><u>62</u></a> MOTION Leave to Intervene as Plaintiff, filed by Wayne Bailey. (smurdock, 4) (Entered: 10/11/2013)
10/16/2013	<a href="#"><u>75</u></a>	Letter from Wayne Bailey re: status of request, filed. (mperez, 1) (Entered: 10/17/2013)
11/06/2013	<a href="#"><u>76</u></a>	Letter from Wayne Bailey re: Status of Documents, filed. (wbostic, 4) (Entered: 11/07/2013)
11/14/2013	<a href="#"><u>77</u></a>	Per Curiam of USCA re: <a href="#"><u>64</u></a> Notice of Appeal ; USCA No. 13-20502. We do not have jurisdiction over this appeal and it must be Dismissed, filed.(bdaniel, 4) (Entered: 11/19/2013)
11/27/2013	<a href="#"><u>78</u></a>	Plaintiffs' MOTION for Leave to Take Deposition of Defendant Kimberly Cotton by Wayne Bailey, filed. Motion Docket Date 12/18/2013. (jtabares, 1) (Entered: 11/27/2013)
12/02/2013	<a href="#"><u>79</u></a>	DESIGNATION of Matthew J. Greer as attorney in charge of Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Texas Department Of Criminal Justice, Moises Villalobos, Jr, filed.(Greer, Matthew) (Entered: 12/02/2013)
01/06/2014	<a href="#"><u>80</u></a>	Letter from Wayne Bailey re: requesting a copy of the docket sheet, filed. (lusmith, 3) (Entered: 01/06/2014)
01/31/2014	<a href="#"><u>81</u></a>	MOTION to Reopen Lawsuit by Wayne Bailey, filed. Motion Docket Date 2/21/2014. (sscotch, 2) (Entered: 01/31/2014)
01/31/2014	<a href="#"><u>82</u></a>	MOTION for Summary Judgment by Wayne Bailey, filed. Motion

		Docket Date 2/21/2014. (Attachments: # <a href="#">1</a> Attachments, # <a href="#">2</a> Attachments, # <a href="#">3</a> Attachments, # <a href="#">4</a> envelope)(sscotch, 2) (Entered: 01/31/2014)
02/20/2014	<a href="#">83</a>	NOTICE of attorney substitution by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Texas Department Of Criminal Justice, Moises Villalobos, Jr. Attorney Shane D Neldner; Allan Kennedy Cook and Matthew J Greer terminated, filed. (Lantiegne, Calysta) (Entered: 02/20/2014)
02/20/2014	<a href="#">84</a>	Opposed MOTION for Extension of Time to Respond to Plaintiff's Motion for Summary Judgment by Jerry Bailey, Kimberly Cotton Smith, Thomas Day, Larry Hodges, Brad Livingston, Texas Department Of Criminal Justice, Moises Villalobos, Jr, filed. Motion Docket Date 3/13/2014. (Attachments: # <a href="#">1</a> Proposed Order)(Lantiegne, Calysta) (Entered: 02/20/2014)
03/14/2014	<a href="#">85</a>	ORDER. Bailey's motion to compel <a href="#">61</a> and motion to take deposition <a href="#">78</a> are denied without prejudice. Bailey's motion to reopen <a href="#">81</a> is denied as unnecessary. Tom White's motion to intervene <a href="#">62</a> is denied. Defendants' opposed motion for extension of time to respond <a href="#">84</a> is granted to 4/15/2014. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan, 4) (Entered: 03/18/2014)
03/25/2014	<a href="#">86</a>	OPINION on Dismissal terminating <a href="#">63</a> , <a href="#">82</a> . (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan, 4) (Entered: 03/25/2014)
03/25/2014	<a href="#">87</a>	ORDER OF DISMISSAL. Wayne Bailey has no standing. Case terminated on 3/25/2014. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan, 4) (Entered: 03/25/2014)
04/14/2014	<a href="#">88</a>	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: <a href="#">87</a> Order of Dismissal by Wayne Bailey (Filing fee \$ 505), filed. (wbostic, 4) (Entered: 04/15/2014)
04/14/2014	<a href="#">89</a>	MOTION for Leave to Appeal in forma pauperis by Wayne Bailey, filed. Motion Docket Date 5/5/2014. (wbostic, 4) (Entered: 04/15/2014)
04/16/2014	<a href="#">90</a>	Plaintiff's Motion to Withdraw <a href="#">88</a> Notice of Appeal by Wayne Bailey, filed. Motion Docket Date 5/7/2014. (dahumada, 1) (Entered: 04/16/2014)
04/21/2014	<a href="#">91</a>	Notice of the Filing of an Appeal. Fee status: IFP Pending. The following Notice of Appeal and related motions are pending in the District Court: <a href="#">88</a> Notice of Appeal, filed.(blacy, 4) (Entered: 04/21/2014)
04/21/2014		Notice of Assignment of USCA No. 14-20238 re: <a href="#">88</a> Notice of Appeal, filed.(blacy, 4) (Entered: 04/21/2014)
04/24/2014	<a href="#">92</a>	ORDER. Plaintiff's motion to withdraw his notice of appeal is denied <a href="#">90</a> . He should file his motion to withdraw his appeal in the Court of

		Appeals. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan, 4) (Entered: 04/24/2014)
05/27/2014	<a href="#"><u>93</u></a>	Order of USCA re: <a href="#"><u>88</u></a> Notice of Appeal ; USCA No. 14-20238. The appeal is dismissed pursuant to appellant's motion., filed.(lrivera, 2) (Entered: 05/28/2014)
03/22/2016	<a href="#"><u>94</u></a>	Letter from Wayne Bailey re: request for documents. (yhausmann, 6) (Entered: 03/22/2016)
04/20/2016	<a href="#"><u>95</u></a>	Letter from Plaintiff re: Copy of Pleading, filed. (mmapps, 4) (Entered: 04/20/2016)
09/15/2016	<a href="#"><u>96</u></a>	Letter from Wayne Bailey re: removal of accommodation of storage locker, filed. (ghassan, 4) (Entered: 09/15/2016)
01/05/2017	<a href="#"><u>97</u></a>	Letter from Wayne Bailey re: seeking leave to reopen case, filed. (agarcia, 7) (Entered: 01/11/2017)